

**DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING**

**NOTICE OF VIOLATION**

**IN THE MATTER OF THE NOTICE OF  
VIOLATION ISSUED TO  
DOUGLAS AND JACQULYN NAEF  
P.O. BOX 3887  
ALPINE, WY 83128  
RE: MINE PERMIT NO. SP 692**

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**DOCKET NO. 5418-14**

**NOTICE**

**NOTICE IS HEREBY GIVEN THAT:**

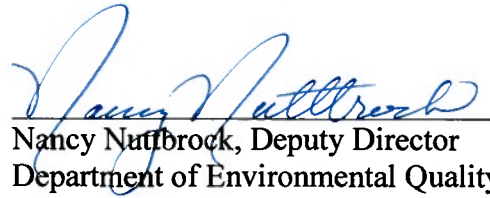
1. Notice of Violation is being sent to you pursuant to Wyoming Statute §35-11-701(c)(i) which requires that a written notice shall be issued in the case of failure to correct or remedy an alleged violation.
2. The Annual Report for Permit SP 692 was received on June 21, 2013. An independent calculation performed by LQD based on material quantities and disturbed acreage.
3. On August 22, 2013, the Annual Inspection of Mining Permit No. SP 692, was conducted by Tanya King of the Land Quality Division District II office. The pit is generally located in the W1/2 SW1/4 and the SW1/4 NW1/4 of Section 30, T37N, R118W, Lincoln County, Wyoming.
4. The Administrator of the Land Quality Division formally set the bond amount at \$116,000.00 an increase of \$99,400.00 over the existing bond held by the State of Wyoming, in a letter sent by Certified Mail to Douglas and Jacquelyn Naef on February 7, 2014. The letter failed to specify a time frame in which the bond was to be posted. A second letter was sent by Certified Mail to Douglas and Jacquelyn Naef on March 26, 2014. The letter set a 30-day deadline to post the required bond. The letter was delivered on March 31, 2014. The deadline elapsed on May 1, 2013 without a response from the operator.
5. Failure to post an adequate bond is a violation of Wyoming Statute §35-11-417.
9. The violation has not been corrected or remedied, nor has the operator provided any information to the Land Quality Division concerning payment date and more than 75 days have passed since the bond was originally set on February 7, 2014.
10. Wyoming Statute §35-11-901(a) provides that any person who violates any provision of the Environmental Quality Act or any rule, standard, permit, license or variance adopted thereunder is liable to a penalty of ten thousand dollars (\$10,000.00) for each day of violation,

which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming.

Nothing in this Notice of Violation (NOV) shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

SIGNED THIS 16<sup>th</sup> day of May, 2013

  
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Todd Parfitt, Director  
Department of Environmental Quality

  
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Nancy Nuttbrock, Deputy Director  
Department of Environmental Quality  
Land Quality Division, Administrator

**PLEASE DIRECT ALL INQUIRIES** regarding this Notice of Violation to Ms. Tanya King, District II Supervisor, Land Quality Division, 510 Meadowview Dr., Lander WY 82520

xc: Tanya King